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Nineteenth session

Summary record of the 378th meeting
Held at the Palais des Nations, Geneva, on Tuesday, 27 February 2018, at 10 a.m.

Chair: Ms. Degener

Contents

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Seychelles (*continued*)

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Seychelles (*continued*) (CRPD/C/SYC/1; CRPD/C/SYC/Q/1 and CRPD/C/SYC/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of Seychelles took places at the Committee table.*

2. **Ms. Simeon** (Seychelles) said that the Ministry of Family Affairs was designing a new five-year action plan based on the outcomes of the review of the action plan on domestic violence for the period 2008–2011 and the survey of gender-based violence conducted in 2016. In contrast to the previous one, the new action plan would make provision for specialized services to assist persons with disabilities who were victims of domestic or gender-based violence in seeking medical attention and legal redress.

3. With regard to the planned shelter for victims of domestic violence, the Government had set aside a parcel of land and was seeking a private-sector partner with which to undertake construction in the next two years. The needs of victims of violence who were living with disabilities would be taken into account.

4. Persons with disabilities had the right to enter into marriage under the conditions laid down in the Civil Code, provided that there was consent between the parties.

5. **Ms. Marguerite** (Seychelles) said that a Mental Health Advisory Committee had been set up to review the Mental Health Act. Persons with disabilities and their families had taken part in discussions on the content of the amendment bill, the aim of which was to ensure that persons with mental health illness made decisions about their own care insofar as they were able to do so. Under the proposed amendments, the State would have an obligation to provide persons with mental health illness with access to information in a format that they could understand.

6. The bill also included provisions aimed at the establishment of two new bodies, the first of which, the Mental Health Board, would oversee the planning and management of the provision of mental health care, while the second, the Mental Health Care Tribunal, would have jurisdiction to determine matters relating to mental health. The bill also contained provisions to protect people from forced medical treatment. For admissions of longer than 14 days, authorization would be required from the Tribunal, taking as the primary consideration the well-being of the person concerned.

7. Seychelles had only one institution for persons with disabilities, a mental health-care facility which currently housed 39 individuals, 18 of whom were women. Placement in the facility occurred as a last resort, in cases where a person's family was unwilling or unable to provide care.

8. The questionnaire used in the survey on disability and disaster preparedness had been adapted from one designed by the United Nations Office for Disaster Risk Reduction. The aim of the survey had been to identify the types of risk faced by persons with disabilities and the knowledge they had about disaster preparedness. The results had shown that a significant proportion of respondents were unwilling to participate in the planning and management of disasters. The authorities had subsequently sought to raise awareness of the importance of doing so. Alerts from the early warning system were communicated in sign language on State television.

9. **Mr. Simeon** (Seychelles) said that the domiciliary care scheme formed part of the State's strategy to ensure that individuals were able to remain in their own home rather than living in institutions. Under the scheme, older persons and persons with disabilities received assistance with daily tasks such as personal hygiene and taking medication. If required, support could be provided up to 24 hours a day. A means-testing assessment was used to determine how much, if any, funding the Government would contribute towards the cost of an individual's care.

10. The domiciliary care scheme was currently undergoing major reforms aimed at the professionalization of the service. With input from the Ministry of Health and other partners, a standardized training programme was being designed in order to ensure that home carers' skills matched the needs of the persons to whom they provided assistance.

11. Wheelchairs were wholly exempt from customs and excise duties and VAT, while adapted vehicles were exempt from customs and excise duties but were subject to environmental levies and VAT. The Government often imported mobility aids in bulk and made special arrangements with the Ministry of Finance in order to waive taxes on the items.

12. Transportation between islands was possible by plane or ferry. The steep steps up to the small aircraft serving inter-island routes posed difficulties for persons using wheelchairs or crutches. Work had been done to make ferries more easily accessible: ramps had been installed on jetties to facilitate boarding and disembarkation, and persons with mobility impairments could easily move around the lower floors of ferries.

13. **Ms. Marguerite** (Seychelles) said that work to modify the Children Act was ongoing. The Government placed great importance on the principle of the best interests of the child, which was adhered to in decisions on custodial guardianship of children. Applications for children to be removed from their parents were made only as a last resort and were based on the level of risk a child faced. Parents with disabilities who were able to raise their children without putting them at risk were free to do so.

14. The Association of People with Hearing Impairment was developing a Seychellois Sign Language dictionary, which was due to be published in May 2018. With support from the European Union, the Association had trained four sign language interpreters and two deaf mediators to work in legal institutions and assist deaf persons who were in conflict with the law, including during court appearances. Interpreters were monitored by an oversight committee comprised of a lawyer, a deaf person and a member of the Association of People with Hearing Impairment.

15. In the area of accessibility to justice, the modern court building was fully accessible to persons with physical disabilities. However, the Government recognized that more needed to be done to improve accessibility to information for a wider range of persons with disabilities.

16. Several hotlines were operated in Seychelles, for purposes such as reporting child abuse, but not every hotline was accessible to all persons with disabilities. Much work remained to be done in that regard. In Seychelles, jurors were selected at random, with no prior knowledge of whether those selected had disabilities. However, she would need to seek further clarification on the matter in order to give an adequate response to the Committee's questions in that regard.

17. Her Government recognized that it must carry out further work to ensure the economic independence of persons with disabilities. In school, pupils with disabilities learned essential skills for daily life, such as financial management, and some career guidance was available. The Vocational Unit of the National Council for Disabled Persons ran a programme on life skills. One of the obstacles to her Government's efforts to ensure the economic independence of persons with disabilities had been the unwillingness of some persons to take up employment in the knowledge that they would lose their disability benefits. To remove that obstacle, the Social Security Act had been amended in such a way that persons with disabilities could no longer be denied their benefits in the event they found gainful employment. Her Government also encouraged persons with disabilities to set up cottage industries and ensured their access to grants and loans to facilitate self-employment.

Articles 21–33

18. **Mr. Martin** said that he we would welcome information on the State party's plans to provide public information in accessible formats, such as Braille, sign language and Easy Read, in accordance with article 21. Regarding article 25, it would be interesting to know whether the State party provided any specific training for health professionals on the health

needs of persons with intellectual disabilities, who had poorer health outcomes in many countries. Lastly, in relation to article 29, he wished to know whether all disabled persons, including persons with intellectual disabilities, were able to vote in Seychelles. It was important to provide information about how to vote in accessible formats.

19. **Mr. Buntan** said that he wished to know what legal status sign language and Braille held in Seychelles. With regard to article 24, he would be grateful for information on any specific measures that the State party had taken or planned to take under its National Inclusive Education Policy and Action Plan to ensure that students with disabilities, especially those who were blind, deaf or blind-deaf, or had intellectual disabilities, were able to learn certain essential skills, such as the ability to understand Braille and sign language or technical sign language, or any other communications skills they needed to participate actively in the mainstream school setting. He would also appreciate information on any specific measures or time frames adopted by Seychelles to move towards the ratification and implementation of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Lastly, he wondered whether the delegation could provide information on any measures taken by Seychelles to ensure that persons with disabilities could participate fully in the monitoring of the implementation of the Convention through their representative organizations.

20. **Mr. Tatić** said that he wished to commend the sincerity of the delegation of Seychelles in replying to the Committee's questions. The initial report of Seychelles (CRPD/C/SYC/1) had been one of the few reports submitted to the Committee at its 19th session to include the challenges facing the State party as part of its structure. That practice could be emulated by other States parties in the future. Regarding article 24, he would appreciate information on the measures taken by Seychelles to facilitate access to tertiary education for students with disabilities, including any efforts to remove physical barriers and to provide for the use of Braille and sign language. He would also welcome further information on the incentives provided to persons with disabilities to facilitate their self-employment, including information regarding the resources offered and the level of interest shown by persons with disabilities. In addition, he would be grateful for further information on accessible tourism in Seychelles.

21. **Mr. You** Liang said that, according to the State party's initial report, entry into post-secondary and tertiary education was awarded on a competitive basis in Seychelles. He therefore wished to know what measures had been taken to improve the quality of the education offered to children with disabilities as a means of facilitating their access to higher education, which would in turn increase their chances of dignified employment on the open labour market. Persons with disabilities had been recognized as a vulnerable group under the National Strategic Plan on Sexual and Reproductive Health 2012–2016, but no specific programmes tailored to their needs had been made available. He therefore wondered if the State party planned to promulgate a new iteration of that plan so as to provide individualized health care for persons with disabilities. Regarding article 28, it would be interesting to hear about any poverty reduction programmes tailored to persons with disabilities, particularly women and older persons with disabilities. The Committee would also appreciate information on any action taken by the State party to include disability-related issues in its efforts to implement the 2030 Agenda for Sustainable Development and to attain the Sustainable Development Goals. In relation to article 29, he would welcome information regarding the number of persons with disabilities who had been elected to parliament in Seychelles and any proposals made by those persons that had been translated into reality.

22. **Mr. Alsaif** said that he would welcome clarification on the measures taken by the State party to ensure that persons with disabilities had access to health care, including physical health-care facilities and equipment and information on the provision of health services. He would also appreciate an explanation of the way in which free access to medicines and supplies was guaranteed for the persons with disabilities who needed them. With regard to article 32, he was interested to know about any plans elaborated as part of the State party's efforts to implement the 2030 Agenda for Sustainable Development that expressly included the rights of persons with disabilities.

23. **Mr. Chaker** said that he wished to know how the State party ensured that all persons with disabilities were able to exercise their rights to marriage, family and parenthood and to access education and sexual and reproductive health services on an equal basis with other persons. He would also appreciate information on measures taken in the State party to ensure that parents were not separated from their children for reasons of disability.

24. **Mr. Parra Dussan** said that he wished to know how and in what circumstances it was deemed appropriate for children with disabilities to be taken out of inclusive education and placed in special education. He wondered whether the delegation could inform the Committee how many children with disabilities were enrolled in both systems. With regard to article 27, he would appreciate clarification on how regular work was compatible with disability benefit. It would be interesting to know more about the amendment made to the Social Security Act to ensure that persons with disabilities could take up open employment, rather than only sheltered employment, without losing their disability benefits.

25. **Mr. Rukhledev** said that he was interested to know whether the State party planned to set up any programmes focusing on the use of information and communication technologies to facilitate access to information for persons with disabilities. In relation to article 24, he wished to know whether the State party ran any training programmes to teach teachers and other education specialists how to work with persons with disabilities and whether teachers and students with disabilities were involved in that work. Regarding article 29, he would appreciate further information on the accessibility of polling places. Lastly, with regard to article 30, he wondered whether Seychelles had any State-run sports programmes for persons with disabilities, particularly children with disabilities, and any programmes to support the involvement of persons with disabilities in creative and cultural life.

26. **Mr. Basharu** said that it would be interesting to hear about any measures taken by the State party to provide incentives to persons with disabilities who wished to import mobility and assistive devices, such as reductions in customs duties. Furthermore, he wished to know whether the State party had taken any steps to make its road and boat networks accessible to persons who were blind or had motor impairments.

27. **Mr. Ishikawa** said that he wondered whether Creole Braille had been developed in Seychelles. If it had, it would be interesting to know whether it was taught in schools or in rehabilitation centres. He also wished to know whether the State party provided subsidies to persons with disabilities who wished to purchase assistive devices, such as Braille note-takers and screen-readers. With regard to education, it would be useful to know how many experts were able to assess autism spectrum disorders in Seychelles. In relation to article 29, he wished to know whether polling places were accessible to wheelchair users and whether persons with disabilities who could not write by hand could ask a member of their family, a friend or a member of staff at the polling place whom they trusted to assist them to cast their vote.

28. **Mr. Kim** Hyung Shik said that he wished to know how the State party enabled persons with disabilities to move from sheltered employment to the general workforce, how it supported those workers and what sort of vocational training it provided that might lead to gainful employment. He also wished to know how the average wage of economically active persons with disabilities compared to that of other workers.

29. **Mr. Pyaneandee** said that he would appreciate information on how the State party continued to support athletes with disabilities and how it planned to promote inclusive sporting and leisure activities. With regard to article 32, he wished to know what kind of memorandums of understanding or international cooperation agreements the State party had concluded or intended to conclude as part of its efforts to implement the Convention. Lastly, he was interested to know when the State party intended to strengthen its National Human Rights Commission and whether the latter would be empowered to investigate complaints.

The meeting was suspended at 11.05 a.m. and resumed at 11.35 a.m.

30. **Ms. Simeon** (Seychelles) said that the National Sports Council organized sports activities that were open to all persons with disabilities. It also ran a rehabilitation

programme for wheelchair users and helped athletes with disabilities to prepare for national and international sports competitions.

31. Persons with disabilities from Seychelles had taken part in the 2016 Paralympic Games and had won several medals at the 2015 Indian Ocean Island Games. The Paralympic Association of Seychelles was affiliated with the International Paralympic Committee. Representatives of the Committee had visited Seychelles to share information and expertise. Sports coaches and senior members of the Paralympic Association had attended capacity-building workshops in Germany, sponsored by the Agitos Foundation.

32. Various initiatives relating to the provision of training on special educational needs were outlined in paragraph 22 of her country's replies to the list of issues (CRPD/C/SYC/Q/1/Add.1). Autism assessments were carried out at the Early Childhood Intervention Centre by a multidisciplinary team of five persons, including two psychologists and a speech pathologist. The assessment process had been established as part of a project to raise awareness about autism and develop services for persons with autism and their families. Diagnostic tools had been purchased and the professionals involved had received training from an American psychologist specializing in autism spectrum disorders.

33. Ballot papers were not available in Braille. Steps would be taken to remedy that shortcoming in order to ensure that all persons with disabilities could exercise their right to vote if they had been certified as mentally able to do so.

34. **Mr. Simeon** (Seychelles) said that the Government aimed to provide quality services to all tourists, including those with disabilities. Large hotels and resorts were already accessible to persons with disabilities; steps were now being taken to ensure that smaller facilities were also accessible. Improvements of that kind would benefit not only foreign tourists but also Seychellois with disabilities.

35. The Agency for Social Protection provided financial assistance to persons with disabilities, such as disability benefits, which were designed not to discourage persons with disabilities from taking up employment but rather to encourage them to become economically active. It also provided housing grants, which could be used to repair or renovate existing housing or to construct new housing in order to cater for the needs of persons with disabilities.

36. Steps had been taken to provide accessible student accommodation. Home carers and nurses who conducted home visits ensured that persons with disabilities received the health care that they required.

37. Some mobility devices, such as wheelchairs, were exempt from all taxes. Others, such as adapted vehicles, were subject to environmental and sales taxes but exempt from customs duties. The Government imported assistive devices of that kind and ensured that the relevant tax exemptions were applied.

38. **Ms. Marguerite** (Seychelles) said that the training provided for health professionals by the National Institute for Health and Social Studies included a module on disability issues. Training for home carers was organized by the Ministry of Family Affairs, in partnership with the Ministry of Health.

39. Health services were increasingly being decentralized to improve their accessibility to persons with disabilities. Various activities were organized, such as a physical exercise campaign led by the President, to encourage all people to take responsibility for their health and for the health of their loved ones.

40. The Adolescent Sexual and Reproductive Health Policy contained a section on persons with disabilities, which would be updated in the light of the Committee's recommendations. Talks on HIV/AIDS and sexual and reproductive health had been held for persons with disabilities, including students of the School for the Exceptional Child, and activities relating to sexual and reproductive health had been organized for trainees of the Vocational Unit of the National Council for Disabled Persons. The curriculum of the School for the Exceptional Child included personal and social education. New health

centres were built in accordance with the principle of universal design and some posters on health issues were produced in Braille.

41. Assistive devices, such as special software and adapted furniture, were available in mainstream schools. A special needs resources room had been set up in at least one mainstream school and there were plans to set up similar rooms in other schools. Measures were taken on a case-by-case basis to accommodate the needs of students with disabilities during lessons and school examinations.

42. Efforts would be made to improve the accessibility of health and education services, in accordance with the Committee's recommendations.

43. More efforts were being made to educate girls with disabilities about sexual and reproductive health issues, including through programmes conducted in both special and mainstream schools. Persons both with and without disabilities could access and consent to receive reproductive health services provided that they had reached the age of majority and were capable of understanding the information provided to them. Persons both with and without disabilities who had not yet reached the age of majority were required to obtain parental consent to benefit from such services.

44. Although a number of workshops on the rights of persons with disabilities had already been organized for health workers, more needed to be done to change perceptions among persons working in the health-care sector. To the extent possible, assistive devices were provided free of charge to persons in need of them. The Ministry of Health, which kept a list of all the persons requiring such devices and was responsible for their distribution, received support from multiple sponsors and donors. Work was under way to develop guidelines for the provision of adjustable beds and other selected assistive devices. Private companies also assisted in the provision of personal mobility aids. An initiative to ensure that special needs children aged between 0 and 8 years were provided with the necessary assistive devices had also been undertaken. To date, a total of 26 special needs children had benefited from the initiative, which was still ongoing.

45. As to the role played by NGOs in monitoring the situation of persons with disabilities in the Seychelles, there were several NGOs that were very active in promoting and protecting the rights of those persons and that worked closely with the Government to that end. The Government supported the work of less visible NGOs working in the area of disability rights through the allocation of grants. It was hoped that more NGOs would become more active in advocating and promoting the rights of persons with disabilities.

46. The National Human Rights Commission served as the independent monitoring mechanism for the rights of persons with disabilities. Regrettably, the issues relating to the accessibility of the Commission's premises had not yet been resolved. The Government was in the process of reviewing the legal frameworks governing the National Human Rights Commission and the Office of the Ombudsman with a view to strengthening them and bringing them fully into line with the Paris Principles.

47. **Ms. Simeon** (Seychelles), replying to questions posed in relation to article 24 of the Convention, said that, as a general rule, children with mild disabilities were placed in mainstream schools. The majority of children with developmental delays were diagnosed as having a disability and were admitted, at least initially, to such establishments. In some cases, those children were assigned a classroom assistant to support them during the school day. Over the past three years, between 4 and 8 children per year had been admitted directly to a special school upon becoming eligible for preschool enrolment. Those children tended to have congenital disabilities, such as Down syndrome, or autism spectrum disorder. The needs and abilities of those children were assessed and every effort was made to place them in a mainstream school, taking into account the resources available. Children with disabilities who had initially been admitted to a mainstream school could later attend a special school on a part-time or full-time basis as the development gap between them and their peers without disabilities widened or the mainstream curriculum became too demanding. Trainee teachers were also required to observe and take part in lessons in special schools as part of their mandatory training.

48. **Ms. Marguerite** (Seychelles), replying to questions posed in relation to articles 9, 27, 29, 30 and 32 of the Convention, said that sign language and Braille did not yet have legal status in the Seychelles. The Government would give due consideration to the Committee's recommendation in relation to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Although there were currently no elected parliamentarians with disabilities, persons with disabilities were represented on the Seychelles National Youth Assembly. Recognizing the important role of information and communication technology in promoting accessibility in education, the Government had undertaken a project to identify the information and communication technology needs of students with disabilities in order to provide them with appropriate assistive devices. The project was still ongoing and the Government was seeking out ways to update existing assistive technologies to better respond to the evolving needs of those students.

49. As to the participation of persons with disabilities in the cultural life of the country, each district had a support group for persons with disabilities that organized a variety of community-based activities. Given the small size of the country, district support groups were also involved in organizing leisure and cultural activities at the regional and national levels.

50. Regarding measures to promote the economic empowerment of persons with disabilities, the Small Enterprise Promotion Agency, which was responsible for the implementation of government policy on craft and cottage industries in the Seychelles, supported persons with disabilities wishing to carry out related entrepreneurial activities at home. The Agency did not provide potential entrepreneurs with actual funding, rather it provided them with access to funding, in addition to support services. Persons with disabilities could also apply for funding from the Seychelles Business Financing Agency, which could provide small business owners with concessionary loans of up to $22,000. Also available to persons with disabilities who met the requirements was the Seed Capital start-up grant, which was intended to assist small businesses in the early stages of development. Persons with disabilities who had an idea for a small business were particularly encouraged to apply for the grant in question.

51. The lack of accessibility of the national road network was largely attributable to the country's topography. However, improvements had been made to the urban portion of the network, particularly in areas where schools were located, and to local road infrastructure, such as pavements, in order to make them more accessible to persons with disabilities. While some progress had been made, more needed to be done in that area.

52. As to international cooperation, the Government had worked in partnership with Leonard Cheshire Disability and Rehabilitation International and had obtained funding from a variety of donors to support the development of programmes and projects intended to benefit persons with disabilities. However, as Seychelles was now considered to be a high-income country, it often struggled to attract donors and to access funding. The Government continued to draw the international community's attention to the country's vulnerable situation and to the need for technical assistance to support its efforts to progress in the area of human rights.

53. **Ms. Simeon** (Seychelles), replying to a question posed in relation to articles 29 and 30 of the Convention, said that professional musicians and artists with disabilities had enjoyed considerable success in the Seychelles, not to mention private-sector business executives.

54. **Mr. Simeon** (Seychelles), replying to questions on articles 21 and 29 of the Convention, said that the National Council for Disabled Persons recognized the importance of taking the views of persons with disabilities into account when designing policies and interventions concerning them and the need for improvement in that area. The representation of persons with disabilities through their own organizations and NGOs that were members of the Council was not sufficient; there was a need to gain a deeper understanding of their views and aspirations.

55. **Ms. Simeon** (Seychelles) said that she wished to thank the members of the Committee for the frankness of the dialogue; the recommendations and suggestions that

they had made would undoubtedly assist the Government in reviewing its current state of compliance with the Convention and in mapping the way forward. The Government was aware of the need for all stakeholders to work together to create an environment conducive to the full realization of the rights of persons with disabilities. It remained committed to reducing gaps in accessibility, addressing persisting barriers in its legal and policy frameworks, improving the quality of education by adopting a more rights-based approach, strengthening the application of the inclusive approach to education and fostering non-discrimination at all levels with the full participation of persons with disabilities. To that end, it had begun the process of aligning several laws with the Convention, reforming the National Council for Disabled Persons and strengthening its partnerships with NGOs. It would persevere in its efforts to enable persons with disabilities to live up to their full potential and to exercise their rights without restriction.

56. **Mr. Pyaneandee**, noting that the State party had made significant progress in advancing women's rights and in increasing their representation in all major sectors, said that it should do likewise for persons with disabilities. He found it regrettable that the Committee had been unable to have an interactive dialogue with organizations of persons with disabilities and hoped that what was a highly unsatisfactory situation could be remedied in the future. The State party should address, as a matter of urgency, the constitutional deficiencies having a negative impact on persons with disabilities. Although the improvement in the State party's economic indicators was a welcome development, it would do well to remember that a flourishing economy was largely dependent on good human rights indicators. Going forward, it should harness international cooperation to enhance the implementation of the Convention and thus facilitate the enjoyment by persons with disabilities of all their human rights.

57. **The Chair**, thanking the delegation for the open and constructive dialogue, said that she hoped that the Committee's suggestions and recommendations would further guide the State party in its commitment to the rights of persons with disabilities.

The meeting rose at 12.35 p.m.